

Regular Session, 2009

ACT No. 302

HOUSE BILL NO. 688

BY REPRESENTATIVE MONTOUCET

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To enact R.S. 14:40.6, relative to the unlawful disruption of the operation of a school; to
3 create the crime of the unlawful disruption of the operation of a school; to provide
4 for definitions; to provide for penalties; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 14:40.6 is hereby enacted to read as follows:

7 §40.6. Unlawful disruption of the operation of a school; penalties

8 A. Unlawful disruption of the operation of a school is the commission of any
9 of the following acts by a person, who is not authorized to be on school premises,
10 which would foreseeably cause any of the following:

11 (1) Intimidation or harassment of any student or teacher by threat of force
12 or force.

13 (2) Placing teachers or students in sustained fear for their health, safety, or
14 welfare.

15 (3) Disrupting, obstructing, or interfering with the operation of the school.

16 B. For the purposes of this Section:

17 (1) "Authorized to be present on school premises" means all of the
18 following:

19 (a) Any student enrolled at the school.

20 (b) Any teacher employed at the school.

1 (c) Any person attending a school sponsored function.

2 (d) Any other person who has authorization to be present on the school
3 premises from the principal of the school in the case of a public school, or the
4 principal or headmaster in the case of a nonpublic school.

5 (2) "School" means any public or nonpublic elementary, secondary, high
6 school, vocational-technical school, college, special, or postsecondary school or
7 institution, or university in this state.

8 (3) "School premises" means any property used for school purposes,
9 including but not limited to school buildings, playgrounds, and parking lots.

10 (4) "School-sponsored function" means the specific designated area of the
11 function, including but not limited to athletic competitions, dances, parties, or any
12 extracurricular activity.

13 (5) "Student" means any person registered or enrolled at a school as defined
14 in this Section.

15 (6) "Teacher" shall include any teacher or instructor, administrator, staff
16 person, teacher aide, paraprofessional, school bus driver, food service worker, and
17 other clerical, custodial, or maintenance personnel employed by any public or
18 nonpublic elementary, secondary, high school, vocational-technical school, college,
19 special, or postsecondary school or institution, or university in this state.

20 C. Whoever commits the offense of unlawful disruption of the operation of
21 a school shall be fined not more than one thousand dollars or imprisoned with or
22 without hard labor for not less than one year nor more than five years, or both.

23 D. Nothing herein shall be construed to prevent lawful assembly and orderly
24 petition for the redress of grievances, including any labor dispute between any school
25 or institution of higher learning and its employees, or contractor or subcontractor or
26 any employees thereof. Nothing herein shall apply to a bona fide labor organization
27 or its legal activities such as picketing, assembly, or concerted activities in the

1 interest of its members for the purpose of securing better wages, hours, or working
2 conditions.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____